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AUG 2 4 1995

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August 24, 1995

FEDERAL COMMUNICATIONS COMMISSION.
OFFICE OF SECRETARY

Mr. William F. Caton Acting Secretary Federal Communications Commission 1919 M Street Washington, D.C. 20036

DOCKET FILE COPY ORIGINAL

Re:

PP Docket No. 93-253: ET Docket No. 92-100

Dear Mr. Caton:

Please find enclosed for filing the original and nine copies of the Erratum to Application for Review.

Also enclosed is an extra copy of this documents. Please file-stamp this extra copy and return it the courier. If you have any questions or comments concerning the enclosed materials, please contact the undersigned at the above number.

Sincerely,

Rena I. Curtis

Legal Assistant to Walter E. Diercks

WED:ric Enclosures

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# Before the Jederal Communications Commission Washington, D.C. 20554

FEDERAL COMMUNICATIONS COMMISSION OFFICE OF SECRETARY

In the Matter of	)	/
Deferral of Licensing of MTA Commercial Broadband PCS	)	GN Docket No. 93-253/ ET Docket No. 92-100

To: The Commission

DOCKET FILE COPY ORIGINAL

#### **ERRATUM TO APPLICATION FOR REVIEW**

The National Association of Black Owned Broadcasters, Inc. ("NABOB"), Percy Sutton individually ("Sutton"), and the National Association for the Advancement of Colored People, Washington Bureau ("NAACP") (collectively referred to herein as the "Minority Petitioners"), by their attorneys, hereby submit this Erratum to the Application for Review filed with the Commission on July 21, 1995.

In their Application for Review, the Minority Petitioners stated that the A and B Block Broadband PCS licensees had not yet paid the balance of their license fees and that the licenses had not been granted. In fact, the fees had been paid and these licenses were issued by the Commission by June 30, 1995.

With this correction, the Minority Petitioners submit that their Application for review should be granted by the Commission. The A and B Block licensees were on notice that the Minority Petitioners were challenging the legality of the issuance of the A and B Block licenses. The Commission's grant of the A and B Block Broadband PCS licenses does not affect the Minority Petitioners' arguments concerning the impropriety of granting these licenses and does not significantly affect the Minority Petitioners' analysis that their request for a stay of the A and B Block Broadband PCS licenses meets the requirements of the four prong test for a preliminary injunction articulated in Washington Metropolitan Area Transit Comm'n v. Holiday Tours, 559 F.2d 841, 843 (D.C. Cir. 1977).

### Respectfully submitted,

# THE NATIONAL ASSOCIATION OF BLACK OWNED BROADCASTERS, INC.

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#### CERTIFICATE OF SERVICE

I, Kathy Nickens, a secretary in the law firm of Rubin, Winston, Diercks, Harris & Cooke do hereby certify that a copy of the attached **ERRATUM TO APPLICATION FOR REVIEW** was served this 24th day of August, 1995 to the following persons by first class mail, postage prepaid:

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